

12/02/03

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
 14000.8.1

In Re Application Of: **Hugh S. West, Jr., et al.**

DEC 01 2003

Serial No.
 10/651,671

Filing Date
 August 29, 2003

Examiner
 Unassigned

Group Art Unit
 Unknown

**Title: APPARATUS AND METHODS FOR INDEPENDENTLY CONDITIONING AND PRE-TENSIONING
 A PLUARALITY OF LIGAMENT GRAFTS DURING JOINT REPAIR SURGERY**

Address to:
 Assistant Commissioner for Patents
 Washington, D.C. 20231

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

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**APPARATUS AND METHODS FOR INDEPENDENTLY CONDITIONING AND PRE-TENSIONING
A PLUARALITY OF LIGAMENT GRAFTS DURING JOINT REPAIR SURGERY****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

(Date)

Signature

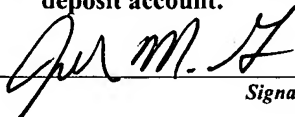
Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Certificate

***This certificate may only be used if paying by deposit account.**

Signature

Dated: Nov. 26, 2003

John M. Guynn
Attorney for Applicant
Customer No. 022913

CC:



PATENT APPLICATION

Docket: 14000.8.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
	Hugh S. West, Jr., et al.)	
Serial No.:	10/651,671)	Art Unit
Confirmation No.:	Unknown)	Unknown
Filed:	August 29, 2003)	
For:	APPARATUS AND METHODS FOR INDEPENDENTLY CONDITIONING AND PRE-TENSIONING A PLURALITY OF LIGAMENT GRAFTS DURING JOINT REPAIR SURGERY)	
Examiner:	Unassigned)	

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

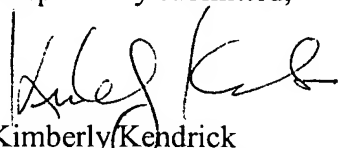
I hereby certify that following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Express Mailing No. EV 319304758 US

Date of deposit: December 1, 2003.

- Transmittal for Information Disclosure Statement (2 pgs.)
- Information Disclosure Statement (2 pgs.)
- Form PTO-1449 (4 pgs.)
- Copy of one (1) reference
- Postcard

Respectfully submitted,


Kimberly Kendrick
Paralegal to John M. Guynn



EXPRESS MAIL NO. EV 319304758 US

PATENT APPLICATION
Docket No: 14000.8.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	
	Hugh S. West, Jr., et al.)	
)	
Serial No.:	10/651,671)	Art Unit
)	Unknown
Confirmation No.:	Unknown)	
)	
Filed:	August 29, 2003)	
)	
For:	APPARATUS AND METHODS FOR)	
	INDEPENDENTLY CONDITIONING)	
	AND PRE-TENSIONING A PLURALITY OF)	
	LIGAMENT GRAFTS DURING JOINT REPAIR)	
	SURGERY)	
)	
Examiner:	Unassigned)	

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

DATED this 26th day of November, 2003.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John M. Gynn", written in a cursive style.

JOHN M. GYNN
Attorney for Applicant
Registration No. 36,153
Customer No. 022913

JMG: kk
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Applicant: Hugh S. West, Jr. et al.

Serial No.: 10/651,671

Atty Docket No. 14000.8.1

Filing Date: August 29, 2003

Group Art Unit: Not Yet Assigned

For: APPARATUS AND METHODS FOR INDEPENDENTLY CONDITIONING AND
PRE-TENSIONING A PLURALITY OF LIGAMENT GRAFTS DURING JOINT
REPAIR SURGERYINFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Filing Date</u>
_____ A1	Re. 34,293	06/22/93	Goble et al.	05/29/90
_____ A2	4,301,551	11/24/81	Dore et al.	07/09/79
_____ A3	4,400,833	08/30/83	Kurland	06/10/81
_____ A4	4,467,478	08/28/84	Jurgutis	09/20/82
_____ A5	4,590,928	05/27/86	Hunt et al.	09/22/81
_____ A6	4,597,766	07/01/86	Hilal et al.	10/26/84
_____ A7	4,605,414	08/12/86	Czajka	06/06/84
_____ A8	4,668,233	05/26/87	Seedhom et al.	07/09/84
_____ A9	4,712,542	12/15/87	Daniel et al.	06/30/86
_____ A10	4,739,751	04/26/98	Sapega et al.	10/03/86
_____ A11	4,744,793	05/17/88	Parr et al.	09/06/85

Examiner: _____

Date Considered: _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

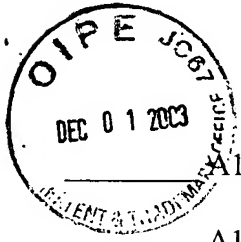
Applicant: Hugh S. West, Jr. et al.

Serial No.: 10/651,671

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Group Art Unit: Not Yet Assigned

For: APPARATUS AND METHODS FOR INDEPENDENTLY CONDITIONING AND
PRE-TENSIONING A PLURALITY OF LIGAMENT GRAFTS DURING JOINT
REPAIR SURGERY

<u> </u> A12	4,772,286	09/20/88	Goble et al.	02/17/87
<u> </u> A13	4,773,417	09/27/88	Moore et al.	01/05/87
<u> </u> A14	4,834,752	05/30/89	Van Kampen	02/05/88
<u> </u> A15	4,870,957	10/03/89	Goble et al.	12/27/88
<u> </u> A16	4,927,421	05/22/90	Goble et al.	05/15/89
<u> </u> A17	4,950,270	08/21/90	Bowman et al.	02/03/89
<u> </u> A18	4,950,271	08/21/90	Lewis et al.	02/06/89
<u> </u> A19	4,997,433	03/05/91	Goble et al.	01/16/90
<u> </u> A20	5,037,426	08/06/91	Goble et al.	09/19/88
<u> </u> A21	5,108,433	04/28/92	May et al.	02/22/91
<u> </u> A22	5,129,902	07/14/92	Goble et al.	04/20/90
<u> </u> A23	5,139,520	08/18/92	Rosenberg	01/31/90
<u> </u> A24	5,147,362	09/15/92	Goble	04/08/91
<u> </u> A25	5,507,750	04/16/96	Goble et al.	09/16/93
<u> </u> A26	5,562,668	10/08/96	Johnson	04/28/95
<u> </u> A27	5,630,820	05/20/97	Todd	12/05/94

Examiner: _____

Date Considered: _____

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Applicant: Hugh S. West, Jr. et al.

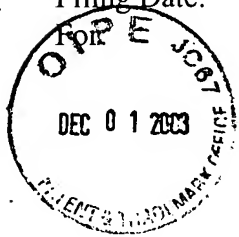
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APPARATUS AND METHODS FOR INDEPENDENTLY CONDITIONING AND
PRE-TENSIONING A PLURALITY OF LIGAMENT GRAFTS DURING JOINT
REPAIR SURGERY



_____ A28	5,713,897	02/03/98	Goble et al.	03/06/97
_____ A29	5,964,764	10/12/99	West, Jr. et al.	03/24/98
_____ A30	5,980,473	11/09/99	Korakianitis et al.	04/07/98
_____ A31	6,001,106	12/14/99	Ryan et al.	09/03/97
_____ A32	6,036,694	03/14/00	Goble et al.	08/03/98
_____ A33	6,279,415	08/28/01	Chance et al.	10/27/99

Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner

Initial*

_____ A34 "IntrafixTM Technique for Tibial Fixation of ACL Grafts," Joseph H. Sklar, M.D.,
Innovasive Devices, 1999.

 Examiner:

 Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Form PTO-1449

Sheet 4 of 4

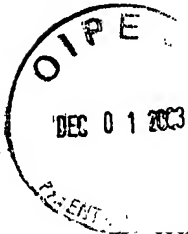
Applicant: Hugh S. West, Jr. et al.

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For: APPARATUS AND METHODS FOR INDEPENDENTLY CONDITIONING AND
PRE-TENSIONING A PLURALITY OF LIGAMENT GRAFTS DURING JOINT
REPAIR SURGERY**References Cited by Applicants**

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1", "A2", etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142.

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Examiner: _____

Date Considered: _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.